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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/986,090

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Osamu Kawamae

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EXAMINER

HOANG, THAI D

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/986,090

Applicant(s)

KAWAMAE ET AL.

Examiner

Thai D. Hoang

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 01/19/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-9, 16-18 and 21-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9, 18 and 32 is/are allowed.
- 6) ☒ Claim(s) 7, 9, 16, 17, 21-31 and 33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/19/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 7 and 9 are objected to because of the following informalities:

Claim 9 recites "A data transmission and reception", it should be depended claim 8 instead of claim 7, therefore.

Claim 7, line 7, the word "patters" should be changed to – patterns--

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7, 9, 16-17, 21-31 and 33 are rejected under 35 U.S.C. 102(b) as being unpatentable by Yoshinaka, US Patent No. 5,384,787.

Regarding claims 7, 16 and 21-23, Yoshinaka discloses a system called "Picture data recording apparatus and picture data reproducing apparatus". Yoshinaka discloses the system comprise a block 31, which serves to divide picture data into data frames data every block of 8x8 pixels, as shown in FIG. 2, with respect to picture data delivered from the A/D converter 2 to output picture data to which shuffling processing is implemented. See col. 5, lines 39-41, figures 1 and 2 (a step for preparing data frames of said information data into which the additional information data are to be embedded). Also, Yoshinaka teaches that the coding processing unit 3 compresses picture data of

800x400 bytes/frames (fig. 2) to deliver to the recording data processing unit 4. In the recording data processing unit 4, the ID adding circuit 41 is supplied with picture data coded by the coding processing unit 3 and an identification code (ID) indicating its quantization step width is included in the ID signal added to the picture data. In the frame memory 42, picture data of one frame in which the identification code (ID) is added, by the ID adding circuit 41, is written. Both picture data and embedded ID are separately stored in the frame memory 42. Figs. 1-3, col. 6, lines 28-35 (a step for altering at least in accordance with predetermined part of the data frame patterns corresponding to the additional information data to be embedded repetitively and separately in the data frames, for the plural continuous frames). Then, both ID data and picture data are transmitted to the recorder 5, fig. 2 (a step for transmitting the information data of the data frames embedded repetitively and separately with the additional information data.)

Regarding claims 9, 17, 24-27 and 33, Yoshinaka discloses the system relates to a picture data recording apparatus for recording picture data onto a recording medium such as a magnetic tape or an optical disk, etc. and a picture data reproducing apparatus for reproducing picture data recorded on the recording medium, col. 1, lines 7-12. Therefore, the recorded data comprises video, audio and other embedded data (wherein said information data repetitively and separately embedded with the additional information data includes at least one of video data, audio data and text data and is recorded into an optical information recording medium.)

Regarding claims 28-29, Yoshinaka discloses the ID adding circuit 41 is supplied with picture data coded by the coding processing unit 3 and an identification code (ID) indicating its quantization step width is included in the ID signal added to the picture data. Col. 6, lines 28-32 (wherein said data repetitively and separately embedded in said information data is identification information data.)

Regarding claims 30-31, Yoshinaka discloses the system comprises ID add unit 41 for adding ID to the data, C1 add unit 43 for adding outer CRC code, SYNC/ID add unit 45 and 47, C2 add unit 46 for adding inner CRC code. These added data are control information. Col. 6, lines 28-35, col. 6, line 67-col. 7, line 26 (wherein said data repetitively and separately embedded in said information data is control information data.)

Allowable Subject Matter

Claims 8, 18 and 32 are allowed.

The following is an examiner's statement of reasons for allowance:

Yoshinaka, US Patent No. 5,384,787, discloses a system called "Picture data recording apparatus and picture data reproducing apparatus". Yoshinaka does not teach or fairly suggest the following features, which are recited in each independent claim of the present application:

A method and system for transmitting and receiving of information data containing additional information data, wherein at the receiver side comprises a step for determining said additional information data based on a continuity of the repetitive

additional information data detected for a predetermined times as recited in claims 8 and 18.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

Applicant's arguments, see page 13 of the remarks, filed 01/19/2006, with respect to claims 8 and 18 have been fully considered and are persuasive. The rejection of claims 8 and 18 has been withdrawn. Claims 8 and 18 are allowed set forth in this office action.

Applicant's arguments filed 01/19/2006 have been fully considered but they are not persuasive.

Regarding claims 7, 9, 16-17 and 21-31, Examiner believes Applicants' arguments on page 11, lines 11-23 and page 12, lines 6-12 of the remarks are not relevant because they are directed to subject matter not found in the claims.

Applicants' arguments on page 12, lines 13-21 are not persuasive as shown above with respect to claim 7, 16 and 21-23.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D. Hoang whose telephone number is (571) 272-3184. The examiner can normally be reached on Monday-Friday 10:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on (571) 272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TH

Thai Hoang

A handwritten signature in black ink, appearing to read 'Hanh Nguyen', with a stylized, cursive script.

**HANH NGUYEN
PRIMARY EXAMINER**